REMARKS

Claim Rejections §102 - Anticipation

Claims 1-4, 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Jackowski et al. (U.S. Patent 5,017,325). The rejection is traversed. In the Advisory Action the Examiner states

> ... Biaxial orientation takes place in Figure 2c (see description Column 5, lines 52-67 and Column 6, lines 1-22), which indicates orientation on two axes (axial and radial) including pressurization. ...The examiner maintains her rejection because Figure 2c (biaxial orientation including pressurization) takes place in element 55 and Figure 2d (blowing step) takes place in element 56.

reveals a line of reasoning that applicant had not previously recognized. As understood, the Examiner indicates that Jackowski et al's first radial expansion step is an axial stretching step because it produces orientation in the axial direction.

Applicant disagrees. The reason, however, is based in part to a very subtle difference in the transitive (active) and intransitive (inactive) forms of the verb "stretch." The American Heritage Dictionary, second college edition, Houghton Mifflin Co. (1985), provides the following as the first definitions for the transitive and intransitive forms:

tr. 1. To lengthen, widen, or distend by pulling.

intr. 1. To become lengthened, widened, or distended.

The Examiner's reasoning is understood to rely on the intransitive verb form, looking at the result (orientation on two axes) whereas the claim, reciting a process step, is actually calling for the transitive form in which the result is produced "by pulling." Thus a radial expansion which causes axial distension by pushing tubing material radially outward is technically not an axial stretching step (transitive form) even though its product may be described in some contexts as "axially stretched" (intransitive form).

Radially pushing tubing material outward has an axial component and so can produce an element of orientation in the plane of the balloon film in both the axial direction and the circumferential direction. This can occur even with no axial pulling. There is nothing in Jackowski et al which teaches or suggests actively pulling on the tubing during the referenced "biaxial orientation" step. To the contrary, the Jakowski et al abstract distinguishes "longitudinal elongation or axial orientation" from "biaxial or radial orientation." To the extent that the Examiner considers that orientation in the axial direction is in herewith Jakowski et al's blowing

step, it is submitted that such orientation is merely what inherently results from radially expanding the tubing, not from an active step of axial stretching.

Applicant has clarified claim 1 to expressly recite that the pressurization in step (a)(i) occurs "while axially pulling the tubing." A close review of Jakowski et al does not reveal any teaching or suggestion of pressurizing while pulling the tubing, and there clearly is no way to read this recitation on a simple radial expansion. At least for this reason the anticipation rejection should be withdrawn.

Claim Rejections §103 - Obviousness

Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Jackowski, in view of Hamlin (U.S. Patent 5,270,086). This rejection is also traversed.

The rejection relies on Jackowski in the same manner as applied to claim 1. Hamlin is relied upon only for the multilayer recitation found in claim 5. As shown above, Jackowski does not meet the recitations in claim 1 from which claim 5 depends. Moreover, Hamlin does not contain a teaching which would lead to a modification of Jackowski's process to bring it into accord with applicant's claim 1. Consequently this rejection should also be withdrawn.

Claim Amendment - Claim 11

The amendment of claim 11 is only made to provide better agreement with the antecedent, which is properly singular when a parameter (pressure or temperature) identified for comparison has been selected.

Respectfully submitted,

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